

The Examiner rejected Claims 2, 5 and 10 under 35 USC § 112, second paragraph, for insufficient antecedent basis. Applicants amended the claims to obviate the rejection. In particular, Applicants incorporated the limitation static charge modifier in base Claim 1. Support for the limitation can be found in original Claim 8, now deleted.

The Examiner rejected Claim 1 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner takes the position that the limitation "or other reactive group" has no metes or bounds. Applicants amended Claim 1 by limiting the scope of this limitation. In particular, the Applicants incorporated by amendment the phrase "which is capable of forming additional chemical bonds" to make clearer what is meant by "reactive ". Accordingly, as amended, the cation $[C]^+$ does not possess an active hydrogen or other chemical group that is reactive, i.e. capable of forming additional chemical bonds. Support for the newly incorporated phrase can be found in the specification at page 7, lines 21-26.

The Examiner rejected Claims 1-9 under 35 USC § 102(e) as being anticipated by Agarwal et al. and rejected Claim 10 under 35 USC § 102(e) as anticipated by or in the alternative, under 35 USC § 103(a) as obvious over Agarwal et al.

In response to these rejections, Applicants amended base Claim 1 to incorporate an activator in addition to the static charge modifier. Applicants also corrected a transcription error in regards to the word "coordinating". Support for the amendments can be found in the specification at page 6, lines 13-15.

As amended, Applicants believe the reference cited by Examiner does not teach, suggest or render obvious the claimed invention. That is, reference does not teach, suggest or render obvious a catalyst composition comprising both an activator and compound added to the composition as static charge modifier. The cited reference only teaches the use of activators having the formula $[C]^+[A]^-$. But activating the catalyst compound is not the same thing as modifying the static charge environment in a polymerization reactor. Because the reference relied on by the Examiner does not teach, suggest or render obvious a catalyst composition comprising an activator and a

static charge modifier having the formula $[C]^+[A]^-$, the Applicants believe the rejections should be withdrawn.

Applicants believe all outstanding objections and rejections against the claimed catalyst composition have been traversed or obviated by the above amendments and remarks, and respectfully request a notice of allowance for all pending claims, Claims 1-10.

Respectfully submitted,



Osborne K. McKinney
Registration No. 40,084

Univation Technologies, LLC.
5555 San Felipe, Suite 1950
Houston, Texas 77056
Phone: (713) 892-3711
Facsimile: (713) 892-3687

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Version with markings to show changes made.

Please delete Claim 8 as the limitation therein has been incorporated into the base claims by amendment. Please amend the remaining claims as follows:

1. (Amended) A catalyst composition comprising, in combination, a [polymerization] bulky ligand metallocene-type catalyst compound, an activator and a static charge [comprising bulky ligand metallocene-type catalyst] modifier having the formula $[C]^+ [A]^-$ wherein the cation $[C]^+$ does not possess an active hydrogen or other reactive group which is capable of forming additional chemical bonds and $[A]^-$ is a weakly [conducting] coordinating metal or metalloid containing anion.

2. (Amended) The catalyst composition of claim 1 wherein the [anion] cation $[C]^+$ satisfies the formula $[[XR_1 \dots R_n]] [WR_1 \dots R_n]$ wherein $[X] \underline{W}$ is an atom having a permanent charge, selected from Group 15 of the Periodic Table and each R is independently an aliphatic or aromatic hydrocarbyl and n is the number of substitutions required to exhaust the ability of $[X] \underline{W}$ to form additional chemical bonds.

3. (Amended) The catalyst composition of claim 1 wherein $[A]^-$ has the chemical formula $[[YR'_1 \dots R'_m]^-] [QR'_1 \dots R'_m]$ wherein $[Y] \underline{Q}$ is a metal or metalloid and each R' is, independently, hydride radicals, bridged or unbridged dialkylamido radicals, alkoxide and aryloxy radicals, hydrocarbyl and substituted hydrocarbyl radicals, and hydrocarbyl and halohydrocarbyl substituted organometalloid radicals and m is an integer equal to the valence state of $[Y]^+$ plus 1.

6. (Amended) The catalyst composition of claim 1 wherein said [polymerization catalyst] composition further comprises a carrier.

10. (Amended) The catalyst composition of claim 1 wherein said static charge modifier is present in an amount ranging from .5 to 500 weight percent based on total [polymerization] catalyst composition weight.